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17439 U.S.PTO

ABX-AE1 CON

Applicants : Liise-anne Pirofski et al.

For : HUMAN ANTIPNEUMOCOCCAL ANTIBODIES FROM NON-HUMAN ANIMALS

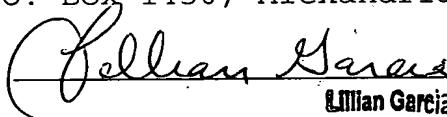
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EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number EF230790118US  
Date of Deposit November 14, 2003

I hereby certify that this transmittal letter and the other papers and fees identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop PATENT APPLICATION, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Lillian Garcia

Mail Stop PATENT APPLICATION  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER FOR RULE 53(b)  
CONTINUING PATENT APPLICATION

Sir:

This is a request for filing a continuation application of pending prior International Patent Application No. PCT/US02/18363, filed May 16, 2002, entitled HUMAN ANTIPNEUMOCOCCAL ANTIBODIES FROM NON-HUMAN ANIMALS, which designated the United States.

Transmitted herewith for filing are the:  Specification (48 pages);  Claims (47);  Abstract;  Unexecuted Declaration and Power of Attorney;  Preliminary Amendment;  paper copy of Sequence Listing;  computer-readable-form copy of Sequence Listing;  Statements in Support of Sequence Listing;  Application Data Sheet; and  Postcard; for the above-identified patent application.

The enclosed declaration is:

Unexecuted.

Copy from a prior application (37 C.F.R. § 1.63(d)).

A signed statement is attached deleting inventors named in the prior application (37 C.F.R. §§ 1.63(d)(2) and 1.33(b)).

The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

The prior application, Application No. PCT/US02/18363, filed May 16, 2002, is assigned of record to Albert Einstein College of Medicine of Yeshiva University and Abgenix, Inc.

Also transmitted herewith are:

Eight (8) sheets of:

Formal drawings.

Informal drawings. Formal drawings will be filed during the pendency of this application.

An assignment of the invention to

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A check in the amount of \$40.00 to cover the recording fee.

Please charge \$40.00 to Deposit Account No. 06-1075 in payment of the recording fee. A duplicate copy of this transmittal letter is transmitted herewith.

An associate power of attorney.

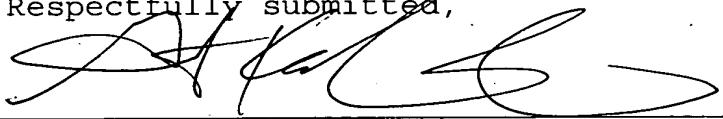
The filing fee has been calculated as shown below:\*

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEES
BASIC FEE				\$ 770.00
TOTAL CLAIMS 40 - 20 = 20 X \$ 18 =				\$ 360.00
INDEPENDENT 8 - 3 = 5 X \$ 86 =				\$ 430.00
[X] MULTIPLE DEPENDENT CLAIM				+ \$290 = \$ 290.00
				TOTAL <u>\$1850.00</u>

- \* The filing fee has been calculated using the claims after entry of the enclosed Preliminary Amendment.
- [X] A check in the amount of \$1850.00 in payment of the filing fee is transmitted herewith.
- [X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge \$        to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



Jane T. Gunnison (Reg. No. 38,479)  
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